

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

RUSSELL DAN SMITH, an individual
residing in South Carolina,

Plaintiff,

CASE NO.

v.

WIKIMEDIA FOUNDATION, INC., and

CRAIGSLIST,

Defendants.

**Wikimedia Foundation, Inc.'s Responses to Local Civil Rule 26.01 DSC
Interrogatories**

Defendant Wikimedia Foundation, Inc., by and through the undersigned legal counsel, pursuant to Rule 26.01 of the Local Civil Rules for the District Court of South Carolina, responds to the initial disclosure requirements under said rule as follows:

INTERROGATORY (A): State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: None known.

INTERROGATORY (B): As to each claim, state whether it should be tried jury or non-jury and why.

ANSWER: Non-Jury as requested by Plaintiff.

INTERROGATORY (C): State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: **Wikimedia Foundation, Inc. is a non-profit 501(c)(3) foundation, organized under the laws of the state of Florida. Wikimedia Foundation, Inc is not a parent, subsidiary, partner or affiliate of any publicly owned company. No publicly owned company owns ten percent or more of Wikimedia Foundation, Inc. Wikimedia Foundation, Inc. does not own ten percent or more of any publicly owned company.**

INTERROGATORY (D): State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: **The Plaintiff's initial state court case was filed in the Aiken County Court of Common Pleas and this case therefore has been removed to the Aiken Division. See 28 U.S.C. § 1441(a). Because Plaintiff's purported claim against craigslist appears to be based in part on a case presently pending in the Charleston Division, craigslist believes the Charleston Division is the more appropriate Division for adjudication of this case. See craigslist, Inc. v. Henry**

McMaster, et al., Civil Action No. 2:09-cv-1308-CWH. Wikipedia Foundation, Inc.
concurs.

INTERROGATORY (E): Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide. (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER: As to defendant Wikimedia Foundation, Inc., there are no known related cases.

INTERROGATORY (F): If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: The proper party name for Wikipedia is “Wikimedia Foundation, Inc.” No service of any sort has been effected on Wikimedia,

Foundation, Inc. in this case, and at present the undersigned counsel is not authorized to accept service on behalf of Wikimedia Foundation, Inc.

INTERROGATORY (G): If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: None known.

Respectfully submitted,

Wikimedia Foundation, Inc

By:/s/ Aaron G. Walsh

Aaron G. Walsh (Fed. I.D. #9320)
WalshLaw, PA
South Aiken Executive Center
958 Millbrook Ave, Ste. 6 (29803)
PO Box 639
Aiken, SC 29802
(803) 642-9700 (tel)/(803) 644-6933 (fax)
aaronwalsh@walshlaw.biz

Counsel for Defendant Wikimedia Foundation, Inc.